

EXHIBIT Y

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

In re Terrorist Attacks on September 11, 2001	03-md-1570 (GBD)(SN) ECF Case
This document relates to: <i>Thomas Burnett, Sr., et al. v. The Islamic Republic of Iran, et al.</i>	15-cv-9903 (GBD) (SN) ECF Case

DECLARATION OF HENRY FUERTE

I, Henry Fuerte, pursuant to 28 U.S.C. § 1746, do hereby declare under penalty of perjury as follows:

1. I am more than 18 years of age and competent to testify in court to the matters stated below. The statements made in this Declaration are based on my personal knowledge unless otherwise indicated.

2. I was a citizen of the United States on September 11, 2001, and remain so today. Attached, as Exhibit A to this Declaration, is a true and correct copy of my proof of citizenship.

3. On September 11, 2001, I was present inside the North Tower (Tower 1) when the terrorist attacks of the World Trade Center Towers occurred.

4. At the time of these terrorist attacks, I worked on the 95th floor of the North Tower for Marsh & McLennan Companies, Inc., as an IT Professional.

5. I was in New York City at Ground Zero when the plane(s) hit the towers and I received physical injuries in the escape and collapse. In the course of the attack and my escape, I witnessed atrocities beyond the imagination of the average citizen. The situation could only be compared to a war zone. I was going about my everyday life in a peaceful manner when we were brutally attacked by terrorists and my life was altered forever.

6. When the passenger jet crashed into the North Tower of the World Trade Center, I had just stepped off an elevator on the 78th floor and I was waiting for the second elevator to my office on the 95th floor. As I stepped onto the second elevator, the force of the blast blew me out of the elevator. I was dazed and confused, but I then tried to find an exit. I heard people in another elevator that were trapped inside. I and another person tried to free these victims from the elevator, but we were unable to open the elevator doors. We finally found an exit stairway, which was very narrow - only two people could fit. I remember sweating a lot going down the stairs - I made it down to the 35th floor as firefighters were coming up the stairs. I will never forget the looks on their faces. I managed to continue down the stairwell and out of the building. The scene as I exited the building looked like a war zone, and I saw police officers, soldiers, and medical personnel in the street trying to help the injured. I looked up, saw a fire in the South Tower, and I began walking towards the Brooklyn Bridge. I then heard someone scream, and I turned around and saw the South Tower collapse around 10:30 a.m. I then ran from the area as quickly as possible.

7. Because of these terrorist attacks, I suffered the following specific physical injuries on September 11, 2001: eye injuries from flying debris, and a back injury from the blast that threw me out of the elevator. Due to my back injury, I spent six to eight months performing physical therapy in an effort to heal.

8. Further, due to my experience in these horrific events, I began to suffer from PTSD shortly after the 9-11 attacks. I had reoccurring nightmares and flashbacks. I suffered, and continue to suffer, severe emotional distress because of the above terrorist attacks. I suffered, and continue to suffer, from anxiety due to the traumatic events that I witnessed.

9. I sought medical attention for my physical and emotional injuries. However, due to the destruction and damage caused by Hurricane Sandy on October 29, 2012, all of my medical and financial records connected to the 9-11 terrorist attacks were lost or destroyed.

10. I previously pursued a claim (Claim Number VCF unknown) through the September 11th Victim Compensation Fund specifically related to my physical injuries incurred on September 11, 2001, and my claim was determined to be eligible for compensation.

I declare UNDER PENALTY OF PERJURY that the foregoing is true and correct.

EXECUTED on this 9th day of January 2020.



Signature of Declarant Henry Fuerte

**EXHIBITS
FILED
UNDER SEAL
(ECF No.
5716)**